

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled LIPOOLIGOSACCHARIDE BASED VACCINE FOR PREVENTION OF MORAXELLA (BRANHAMELLA) CATARRHALIS INFECTIONS IN HUMANS ; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Serial No.: 60/071,483 Filing Date: **January 13, 1998**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: **PCT/US99/00590** Filing Date: **January 12, 1999** Status: **pending**

POWER OF ATTORNEY: I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith (if this application is assigned, I acknowledge that the appointed individuals do not represent me, and that instead they represent the assignee): James C. Haight, 25,588; David R.

Sadowski, 32,808; Robert Benson, 33,612; Jack Spiegel, 34,477; Susan S. Rucker, 35,762; Stephen L. Finley, 36,357; Steven M. Ferguson, 38,448; Norbert Pontzer, 40,777; Richard U. Rodriguez, 45,980, and John P. Kim, 38,514, as principal attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **XIN-XING GU**

Inventor's signature _____

Date _____

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Full name of SECOND inventor: **JOHN B. ROBBINS**

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